IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 4401 OF 2004

1. Shankar Zipru Wagh
2. Santosh @ Sampat Appa Bagul ..Applicants

versus

The State of Maharashtra ..Respondents

Mr. S. B. Shetye for the Applicants.

Mr. V. B. Konde-Deshmukh A.P.P. for the Respondents.

CORAM : A.M. KHANWILKAR,J.

DATE : 20TH OCTOBER 2004.

P.C. :

1. Heard counsel for the parties. Perused the record. The applicants have been arrested in connection with offence registered with Vadner Khakurdi Police Statkion being CR No.I 30 of 2004. The applicants are close relatives of accused No.1 who was the husband of deceased. In so far applicants are concerned, they have been named on the allegation that on the date of marriage the applicants had declared that game will be over within one day as they were not honoured properly. The marriage took place on 9.5.2004 whereas Surekha is reported dead on 12.5.2004. The prosecution

version seems to be that accused No.1 and Surekha were last seen together. There is no material on record to connect the applicants with the events that unfolded on 12.5.2004. Besides the applicants are staying separately and not with the accused No.1. Taking overall view of the matter, the applicants deserve to be enlarged on the following conditions:

(a) The applicants are enlarged on bail in connection with CR No.I 30 of 2004 registered with Vadner Police Station, Tal: Malegaon, Dist: Nasik, on executing personal bond in the sum of Rs.25,000/= (Rupees Twenty Five thousand only) each with one or two local sureties in the like amount respectively, to the satisfaction of the trial court.

(b) The Applicants shall report to the Vadner Khakurdi police station, Dist : Nashik, once in a fortnight on Saturday between 10 a.m. to 1 p.m.

(c) The applicants shall not influence the prosecutions witnesses or tamper with the prosecution evidence in any manner whatsoever.

(d) The applicants shall extend full co-operation to the trial court for early disposal of the case. In the event the trial court is of the opinion that the applicants are responsible for obstructing the smooth progress of the trial, that fact be recorded in the roznama which can be a ground for cancellation of bail.

Application disposed of accordingly.

A.M. KHANWILKAR, J.